



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202 - 2733

August 22, 2017

Office of the Regional Administrator

The Honorable Susana Martinez
Governor of State of New Mexico
490 Old Santa Fe Trail #400
Santa Fe, NM 87501

Dear Governor Martinez:

The purpose of this letter is to inform you of the U.S. Environmental Protection Agency's (EPA's) intended designations for certain areas in New Mexico for the 2010 Primary National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO₂). The designations for this NAAQS are an important part of the EPA's commitment to a clean, healthy environment. These intended designations are a response to designations-related recommendations and information your state submitted in letters dated May 24, 2011, and June 6, 2011.¹

On July 25, 2013, the EPA designated certain areas in 16 states as nonattainment, but did not at that time designate other areas. Additional areas were designated on June 30, 2016, and November 29, 2016. No areas in New Mexico were designated in these previous actions. Pursuant to a March 2, 2015, court-ordered schedule,² the agency must complete the remaining SO₂ designations by two specific deadlines: December 31, 2017, and December 31, 2020. Accordingly, pursuant to section 107(d)(1)(B)(ii) of the Clean Air Act, this letter is to notify you of the EPA's assessment of your state's recommended designations for all remaining undesignated areas in New Mexico. While we are in agreement with your recommendation for many of these areas, some areas warrant further discussion as explained below and in the accompanying technical support document. We stand ready to assist and hope to resolve any differences regarding the proper designation for these areas within this 120-day period provided by the Clean Air Act.

To this end, if you or your staff have additional information that the EPA should consider prior to finalizing the designations, please submit it as soon as possible but no later than October 23, 2017. You may submit additional information by sending it to the EPA's public docket for these designations, EPA-HQ-OAR-2017-0003, located at www.regulations.gov, and sending a copy to EPA Region 6. The EPA also will publish a notice in the *Federal Register* announcing a 30-day comment period for the public to provide input on the EPA's intended designations.

The State of New Mexico has recommended a designation of unclassifiable, but submitted air dispersion modeling demonstrating attainment in 2017 for the area indicated below. EPA regulations for implementing the SO₂ NAAQS require New Mexico to characterize SO₂ air quality in each listed area. In considering your recommendation, we have taken into account all available information, including any current (2014-2016) air monitoring data, and any air dispersion modeling analyses provided by New

¹ New Mexico also provided information relevant to these designations in a letter dated January 11, 2017.

² *Sierra Club v. McCarthy*, No. 3-13-cv-3953 (SI) (N.D. Cal. Mar. 2, 2015).

Mexico or by a third party. Our review of this information indicates that it is consistent with your most recent submittal. The EPA intends to designate the listed area as a separate unclassifiable/attainment area, as indicated.

Unclassifiable/Attainment Area	Included Counties
San Juan County	San Juan County (p) excluding all area belonging to Navajo Nation but including Ute Mountain Tribal Lands

(p) indicates portion of county

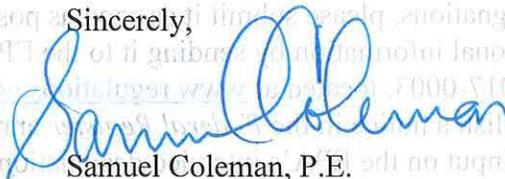
Enclosure 1 to this letter provides the information that supports the intended designation decisions for these areas in New Mexico.³

Finally, we intend to designate as unclassifiable/attainment all remaining areas of New Mexico that were not required to be characterized and for which EPA does not have information that suggests the area may not be meeting the NAAQS or contributing to air quality in a nearby area that does not meet the NAAQS. A list of these remaining areas is included in Enclosure 2.⁴

The EPA will promulgate the final designations for the areas identified in this letter by December 31, 2017. We are prepared to work with you to resolve any disagreements with respect to the available information or information gaps. Upon the completion of this designation action, there will be no remaining areas in New Mexico to be designated.

We share your goal to provide cleaner air for citizens in your state. We look forward to a continued dialogue with you and your staff as we work together to complete the area designations and implement the 2010 primary SO₂ NAAQS. For additional information regarding designations under the SO₂ NAAQS, please visit our website at <https://www.epa.gov/sulfur-dioxide-designations>. Should you have any questions, please do not hesitate to call me, or have your staff contact Dayana Medina of my staff at telephone: (214) 665-7241, email: medina.dayana@epa.gov.

Sincerely,



Samuel Coleman, P.E.
Acting Regional Administrator

Enclosures

cc: Mr. Butch Tongate, Cabinet Secretary, New Mexico Environment Department
Mr. Richard Goodyear, Chief, Air Quality Bureau, New Mexico Environment Department
Ms. Mary Lou Leonard, Director, Albuquerque Environmental Health Department

³ Enclosure 1 is Chapter 28 of the Technical Support Document for the designations EPA plans to complete by December 31, 2017, that addresses areas in New Mexico. The Technical Support Document is also available at <https://www.epa.gov/sulfur-dioxide-designations>

⁴ Our intended designated areas include all areas of Indian country located in each of the indicated areas.

Enclosure 2

List of all remaining areas of New Mexico that were not required to be characterized and for which the EPA does not have information that suggests the area may not be meeting the NAAQS or contributing to air quality in a nearby area that does not meet the NAAQS. The EPA intends to designate each of these areas as a separate unclassifiable/attainment area.

County
Bernalillo County*
Catron County*
Chaves County*
Cibola County*
Colfax County*
Curry County*
De Baca County*
Doña Ana County*
Eddy County*
Grant County*
Guadalupe County*
Harding County*
Hidalgo County*
Lea County*
Lincoln County*
Los Alamos County*
Luna County*
McKinley County*
Mora County*
Otero County*
Quay County*
Rio Arriba County*
Roosevelt County*
San Miguel County*

Sandoval County*
Santa Fe County*
Sierra County*
Socorro County*
Taos County*
Torrance County*
Union County*
Valencia County*

An asterisk (*) indicates that the intended designation for this county or portion of a county represents a modification to the designation that New Mexico has most recently recommended.